

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**  
Case No. 1:12-cv-1020

HEART IMAGING TECHNOLOGIES,  
LLC,

Plaintiff,

v.

MERGE HEALTHCARE  
INCORPORATED,

Defendant.

)  
)  
)  
) **LR83.9(g) NOTICE TO COURT OF**  
) **AGREEMENT TO MODIFY**  
) **MEDIATION PROCEDURE**  
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As required by LR 83.9(g), Defendant Merge Healthcare Inc. provides this notice to the Court that it has entered into an agreement with Plaintiff Heart Imaging Technologies, LLC to modify mediation procedures by allowing each party to exceed the page limits on the position papers and exhibits provided to the mediator pursuant to LR 83.9(c). The mediator, Kenneth J. Gumbiner, has consented to this modification.

Respectfully submitted this 28<sup>th</sup> day of October, 2013.

/s/ Gary L. Beaver

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 28<sup>th</sup> day of October, 2013, this **LR83.9(g) NOTICE TO COURT OF AGREEMENT TO MODIFY MEDIATION PROCEDURE** was served upon the below-named counsel of record at the address and in the manner indicated:

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VIA ECF NOTIFICATION

/s/ Gary L. Beaver  
Gary L. Beaver